

# **Exhibit 1**

Lambda Labs' Second Set of  
Requests for Production to  
Lambda School  
(dated 5/13/2020)

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LAMBDA LABS, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

LAMBDA LABS, INC.,  
  
Plaintiff,  
  
v.  
  
LAMBDA, INC.,  
  
Defendant.

Case No. 4:19-cv-04060-JST

**LAMBDA LABS, INC.'S SECOND  
SET OF REQUESTS FOR  
PRODUCTION OF DOCUMENTS  
AND THINGS TO DEFENDANT  
LAMBDA, INC.**

PROPOUNDING PARTY	Plaintiff Lambda Labs, Inc.
RESPONDING PARTY	Defendant Lambda, Inc.
SET NUMBER	Two

Under Rule 34 of the Federal Rules of Civil Procedure, Plaintiff Lambda Labs, Inc. (“Lambda”) requests that Defendant Lambda, Inc. (“Lambda School”) produce the following documents within thirty (30) days.

### DEFINITIONS

As used herein, the following terms shall have the following meanings:

A. “Lambda School,” “You,” or “Your” means Lambda, Inc., including all predecessors, subsidiaries, and affiliates, and all past or present directors, officers, agents, representatives, employees, consultants, attorneys, and others acting on its behalf.

B. “Lambda” means Lambda Labs, Inc.

C. “Relating to” means referring to, pertaining to, relevant to, material to, evidencing, affecting, comprising, discussing, dealing with, considering, or otherwise concerning in any manner whatsoever the subject matter of the inquiry.

D. “Person” or “Persons” means both natural persons and legal entities, including, without limitation, corporations, companies, firms, partnerships, joint ventures, proprietorships, associations, and governmental bodies or agencies. Unless noted otherwise, all references to any person, entity, or party herein include its, his, or her agents, attorneys, employees, officers, directors, or others acting on behalf of said person, entity, or party.

E. “Documents” means the original and all non-identical copies (including drafts and those with any notations) of all “documents,” “writings,” “recordings,” and “photographs” of the types designated in Rule 34(a) of the Federal Rules of Civil Procedure and Rule 1001 of the Federal Rules of Evidence, and includes materials in digital forms.

F. “Communication” means any contact, oral or documentary, formal or informal, at any time or place and under any circumstances whatsoever whereby information of any nature is transmitted or transferred, including, but not limited to, a single person seeing or hearing any information by any means.

G. “Identify” means the following:

1) with reference to an individual or individuals, it means to state, fully and separately as to each, such individual’s full name, any known business title, current or last known

business affiliation, current or last known residential address, current or last known business address, current or last known relationship to You, and current or last known telephone number.

2) with reference to an entity or entities, it means to state, fully and separately as to each, such entity's full name, state (or country) of incorporation or organization, present or last known address, and present or last known telephone number.

3) with reference to any Document or Documents, it means to describe each Document by Bates number. In the event that a Document does not have a Bates number, "Identify" means to provide a complete description of it such that it may be the subject of a request for the production of documents, including by stating the date, identity of the author, addressee(s), signatories, parties, or other Persons identified therein, its present location or custodian, and a description of its contents.

4) with reference to a Communication or Communications, it means to describe the date and time of the Communication, the contents of the Communications, the circumstances that prompted the Communication, any subsequent action that resulted from the Communication, all Persons involved in each such Communication, and all Documents referring or relating to each such Communication.

5) with reference to facts, provide the evidentiary basis for the fact, including, if a document, the specific information required by 3) above, and if a person, the specific information required by 1) above.

H. "Date" means the exact day of the month, the month, and the year. If only the approximate date is known or available, please state the approximate date, indicating that it is approximate only.

I. "All" and "Any" shall each be construed as encompassing any and all.

J. "And" and "Or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

## INSTRUCTIONS

1. Please produce all Documents known to, available to, or within Your possession,

1 custody, or control, wherever located.

2 2. To the extent that You withhold any Documents based on a privilege claim, please  
3 provide a privilege log compliant with the requirements of Rule 26 of the Federal Rules of Civil  
4 Procedure.

5 3. If Documents that fall within the scope of a document request were lost or  
6 destroyed, please: (i) describe the Documents (type, subject matter, etc.) that have been lost or  
7 destroyed; and (ii) explain the circumstances relating to the loss or destruction of such  
8 Documents.

9 4. If You have no Documents that fall within the scope of a request, please so state in  
10 Your written responses to the requests.

11 5. If You object to all or any portion of a particular document request, please: (i)  
12 produce all Documents within the scope of request to which You do not object; and (ii) confirm  
13 whether—and to what extent—Lambda School has limited its search for or production of  
14 documents as a result of its objection(s).

## 15 REQUESTS FOR PRODUCTION

### 16 **REQUEST NO. 55:**

17 All documents and communications relating to the Business Insider article titled “Lambda  
18 School is Silicon Valley’s big bet on reinventing education and making student debt obsolete.  
19 But students say it’s a ‘cult’ and they would have been better off learning on their own,” dated  
20 October 11, 2019. See [https://www.businessinsider.com/lambda-school-coding-bootcamp-y-](https://www.businessinsider.com/lambda-school-coding-bootcamp-y-combinator-cult-2019-10)  
21 [combinator-cult-2019-10](https://www.businessinsider.com/lambda-school-coding-bootcamp-y-combinator-cult-2019-10).

### 22 **REQUEST NO. 56:**

23 All documents and communications relating to the Information article titled “Lambda  
24 School’s Growing Pains: Big Buzz, Student Complaints,” dated January 23, 2020. See  
25 [https://www.theinformation.com/articles/lambda-schools-growing-pains-big-buzz-student-](https://www.theinformation.com/articles/lambda-schools-growing-pains-big-buzz-student-complaints)  
26 [complaints](https://www.theinformation.com/articles/lambda-schools-growing-pains-big-buzz-student-complaints).

### 27 **REQUEST NO. 57:**

28 All documents and communications relating to the Verge article titled “The High Cost of

A Free Coding Bootcamp,” dated February 11, 2020. *See*

<https://www.theverge.com/2020/2/11/21131848/lambda-school-codingbootcamp-isa-tuition-cost-free>.

**REQUEST NO. 58:**

All documents and communications relating to the Business Insider article titled “Lambda School, a buzzy online coding bootcamp backed by big Silicon Valley names, could be placing far fewer graduates in jobs than it says,” dated February 19, 2020. *See*

<https://www.businessinsider.com/lambda-school-graduation-placement-rate-2020-2>.

**REQUEST NO. 59:**

All documents and communications relating to the New York Magazine article titled “Lambda School’s Misleading Promises,” dated February 19, 2020. *See*

<https://nymag.com/intelligencer/2020/02/lambda-schools-job-placement-rate-is-lower-than-claimed.html>.

**REQUEST NO. 60:**

All documents and communications relating to the interview of Austen Allred referenced in the New York Magazine article “Lambda School’s Misleading Promises,” dated February 19, 2020. *See* <https://nymag.com/intelligencer/2020/02/lambda-schools-job-placement-rate-is-lower-than-claimed.html>.

**REQUEST NO. 61:**

All versions, including drafts, of the May 2019 investment memorandum titled “Human Capital: The Last Unoptimized Asset Class.”

**REQUEST NO. 62:**

All documents and communications concerning the May 2019 investment memorandum titled “Human Capital: The Last Unoptimized Asset Class.”

**REQUEST NO. 63:**

All documents and communications concerning any arrangements between Lambda School and investors relating to income sharing agreements.

1 **REQUEST NO. 64:**

2 All contracts or written agreements between Lambda School and investors relating to  
3 income sharing agreements.

4 **REQUEST NO. 65:**

5 All communications with Edly.

6 **REQUEST NO. 66:**

7 All documents and communications concerning feedback or complaints from Lambda  
8 School employees, Team Leads, or contractors regarding Lambda School.

9 **REQUEST NO. 67:**

10 All documents and communications concerning feedback or complaints from students or  
11 graduates regarding Lambda School.

12 **REQUEST NO. 68:**

13 All documents and communications relating to any students who have withdrawn from  
14 Lambda School and their reasons for doing so.

15 **REQUEST NO. 69:**

16 All documents and communications concerning the Twitter account @LambdaScam.

17 **REQUEST NO. 70:**

18 All documents and communications concerning any requests by students to cancel their  
19 income sharing agreements.

20 **REQUEST NO. 71:**

21 All documents and communications concerning any efforts by Lambda School students to  
22 organize.

23 **REQUEST NO. 72:**

24 All documents and communications concerning Bethany Surber.

25 **REQUEST NO. 73:**

26 All documents and communications concerning Tyler Nishida.

27 **REQUEST NO. 74:**

28 All documents and communications concerning Antonio Melendez.

1 **REQUEST NO. 75:**

2 All documents and communications concerning Lambda School's accreditation status or  
3 lack thereof.

4 **REQUEST NO. 76:**

5 All communications with the California Bureau for Private Postsecondary Education  
6 ("BPPE").

7 **REQUEST NO. 77:**

8 All documents and communications concerning any audits, potential audits, or requests to  
9 audit Lambda School concerning its student outcome or employment statistics.

10 **REQUEST NO. 78:**

11 All communications with the Council on Integrity in Results Reporting ("CIRR").

12 **REQUEST NO. 79:**

13 All versions, including drafts, of any reports or information submitted to the Council on  
14 Integrity in Results Reporting.

15 **REQUEST NO. 80:**

16 All documents and communications concerning Lambda School's decision to cease  
17 participation in the Council on Integrity in Results Reporting's reporting system.

18 **REQUEST NO. 81:**

19 Documents sufficient to identify all employers of Lambda School graduates or former  
20 students.

21 **REQUEST NO. 82:**

22 All documents and communications concerning "hiring partnerships," as that term is used  
23 in the Lambda School Outcomes Report, H1 2019 Cohorts, Released Q1 2020, with employers or  
24 potential employers of Lambda School students or graduates.

25 **REQUEST NO. 83:**

26 All communications with all entities with which Lambda School has a hiring partnership  
27 or has pursued a potential hiring partnership.



1 **REQUEST NO. 84:**

2 All documents and communications concerning any representations by Lambda School  
3 regarding its student outcome or employment statistics.

4 **REQUEST NO. 85:**

5 All documents and communications concerning the calculation of Lambda School's  
6 student outcome or employment statistics.

7 **REQUEST NO. 86:**

8 All documents and communications concerning collection or verification of student  
9 placement information, including but not limited to all communications with Lambda School  
10 students or former students to collect or verify employment status, salary, or related information.

11 **REQUEST NO. 87:**

12 All versions, including drafts, of any reports regarding outcomes or employment for  
13 Lambda School students or graduates.

14 **REQUEST NO. 88:**

15 All versions, including drafts, of the Lambda School CIRR Outcomes Report, H1 2018.

16 **REQUEST NO. 89:**

17 All documents and communications concerning the methodology used to produce the  
18 Lambda School CIRR Outcomes Report, H1 2018.

19 **REQUEST NO. 90:**

20 All documents and communications concerning the calculation of the statistics presented  
21 in the Lambda School CIRR Outcomes Report, H1 2018, including but not limited to all  
22 information and raw data used in those calculations.

23 **REQUEST NO. 91:**

24 All versions, including drafts, of the Lambda School Outcomes Report, H1 2019 Cohorts,  
25 Released Q1 2020.

26 **REQUEST NO. 92:**

27 All documents and communications concerning the methodology used to produce the  
28 Lambda School Outcomes Report, H1 2019 Cohorts, Released Q1 2020.

1 **REQUEST NO. 93:**

2 All documents and communications concerning the calculation of the statistics presented  
3 in the Lambda School Outcomes Report, H1 2019 Cohorts, Released Q1 2020, including but not  
4 limited to all information and raw data used in those calculations.

5 **REQUEST NO. 94:**

6 Documents sufficient to identify the job titles and full time/part employment time status of  
7 all students or graduates included in the Lambda School Outcomes Report, H1 2019 Cohorts,  
8 Released Q1 2020.

9 **REQUEST NO. 95:**

10 Documents sufficient to identify the ninety-eight students who withdrew from Lambda  
11 School discussed in the Lambda School Outcomes Report, H1 2019 Cohorts, Released Q1 2020.

12 **REQUEST NO. 96:**

13 Documents sufficient to identify the twenty-nine graduates for whom Lambda School was  
14 “unable to contact to verify placement data” discussed in the Lambda School Outcomes Report,  
15 H1 2019 Cohorts, Released Q1 2020.

16 **REQUEST NO. 97:**

17 Documents sufficient to identify the fifty-four “graduates who are still searching for their  
18 next job” discussed in the Lambda School Outcomes Report, H1 2019 Cohorts, Released Q1  
19 2020.

20 **REQUEST NO. 98:**

21 All communications with Divvy.

22 **REQUEST NO. 99:**

23 All contracts or written agreements between Lambda School and Divvy.

24 **REQUEST NO. 100:**

25 All documents and communications concerning placement of Lambda School students or  
26 graduates with Divvy.

27 **REQUEST NO. 101:**

28 Documents sufficient to identify the number of Lambda School students with prior

1 computer science degrees.

2 **REQUEST NO. 102:**

3 All documents and communications concerning the Lambda School program known as  
4 “Lambda Labs.”

5 **REQUEST NO. 103:**

6 Documents sufficient to identify all channels in the Lambda School Slack platform.  
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9  
10 Dated: May 13, 2020

JENNIFER LEE TAYLOR  
NICHOLAS HERRERA  
ROBERT S. SANDOVAL  
MORRISON & FOERSTER LLP

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12  
13 By: /s/ Jennifer Lee Taylor  
14 JENNIFER LEE TAYLOR

15 Attorneys for Plaintiff  
16 LAMBDA LABS, INC.  
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**PROOF OF SERVICE**

I declare that I am employed with the law firm of Morrison & Foerster LLP, whose address is 425 Market Street, San Francisco, California, 94105. I am not a party to the within cause, and I am over the age of eighteen years.

I further declare that on May 13, 2020 I served a copy of:

**LAMBDA LABS, INC.'S SECOND SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS TO DEFENDANT LAMBDA, INC.**

- ☐ **BY U.S. MAIL:** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, addressed as follows, for collection and mailing at Morrison & Foerster LLP, 425 Market Street, San Francisco, California, 94105 in accordance with Morrison & Foerster LLP's ordinary business practices.
- ☐ **BY OVERNIGHT DELIVERY:** by placing a true copy thereof enclosed in a sealed envelope with delivery fees provided for, addressed as follows, for collection by UPS, at 425 Market Street, San Francisco, California 94105 in accordance with Morrison & Foerster LLP's ordinary business practices.
- ☐ **BY PERSONAL SERVICE:** by placing a true copy thereof enclosed in a sealed envelope addressed as follows for collection and delivery at the mailroom of Morrison & Foerster LLP, causing personal delivery of the document(s) listed above to the person(s) at the address(es) set forth below.
- ☒ **BY ELECTRONIC SERVICE:** by electronically mailing a true and correct copy through Morrison & Foerster LLP's electronic mail system to the email address(es) set forth below, or as stated on the attached service list per agreement in accordance with Code of Civil Procedure section 1010.6 and CRC Rule 2.251.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 13, 2020, at San Francisco, California.

Nicholas T. Herrera  
 (typed)

*/s/ Nicholas T. Herrera*  
 (signature)